

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

TRANSCARE CORPORATION, et al.,

Debtors.

SALVATORE LAMONICA, as Chapter 7
Trustee for the Estates of TransCare
Corporation, et al.,

Plaintiff,

- against -

LYNN TILTON, PATRIARCH PARTNERS
AGENCY SERVICES, LLC, PATRIARCH
PARTNERS, LLC, PATRIARCH PARTNERS
MANAGEMENT GROUP, LLC, ARK II CLO
2001-1 LIMITED, TRANSCENDENCE
TRANSIT, INC. and TRANSCENDENCE
TRANSIT II, INC.,

Defendants.

Chapter 7

Case No. 16-10407-smb

Adv. Proc. No. 18-01021-smb

JUDGMENT

For the reasons set forth in the Post-Trial Findings of Fact and Conclusions of Law, entered July 6, 2020:

1. Judgment is hereby entered in favor of Plaintiff Salvatore LaMonica against Defendants Patriarch Partners Agency Services, LLC, Transcendence Transit, Inc. and Transcendence Transit II, Inc., jointly and severally, in the amount of \$39,200,000.00, plus pre-judgment interest in the amount of \$6,021,764.38, calculated for the period February 24, 2016 through July 14, 2020, for a total judgment in the amount of \$45,221,764.38, plus post-judgment interest at the rate prescribed by 28 U.S.C. § 1961.

2. The claims of Defendant Patriarch Partners Agency Services, LLC are disallowed pursuant to Bankruptcy Code section 502(d).

3. The security interests and liens granted to Defendant Ark II CLO 2001-1 Limited under its Security Agreement, dated as of January 15, 2016, with Debtor TransCare Corporation, as Grantor, and Debtors TC Ambulance Corporation, TC Ambulance Group, Inc., TC Ambulance North, Inc., TC Billing and Services Corp., TC Hudson Valley Ambulance Corp., TCBA Ambulance, Inc., TransCare Harford County, Inc., TransCare Management Services, Inc., TransCare Maryland, Inc., TransCare ML, Inc., TransCare New York, Inc., TransCare Pennsylvania, Inc. and TransCare Westchester, Inc., as Additional Grantors, are avoided and preserved for the benefit of said Debtors' respective estates, pursuant to Bankruptcy Code section 551; and Ark II CLO 2001-1 Limited's proofs of claim herein shall accordingly be treated as unsecured.

4. Plaintiff shall recover nothing from Defendants Patriarch Partners, LLC, Patriarch Partners Management Group, LLC and Ark II CLO 2001-1 Limited. The Court dismissed Plaintiff's claims against Defendants Patriarch Partners, LLC and Patriarch Partners Management Group, LLC, and accordingly, the claims asserted by Defendants Patriarch Partners, LLC and Patriarch Partners Management Group, LLC shall be allowed as unsecured claims.

Pursuant to Rule 7054, Plaintiff's time to apply for reasonable attorney's fees is extended until fourteen (14) days after the Judgment in Paragraph 1, above, has become final and non-appealable.

Dated: New York, New York
July ____, 2020

Honorable Stuart M. Bernstein
United States Bankruptcy Judge